



## Legislative Department Seattle City Council Memorandum

**Date:** March 4, 2014  
**To:** Committee on Housing Affordability, Human Services, and Economic Resiliency (CHAHSER)  
**From:** Sara Belz, Council Central Staff  
**Subject:** **Council Bill (CB) 117991: Proposed Changes to City Wall Sign Regulations**

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On March 6, 2014, CHAHSER will have its second discussion of CB 117991, which would make the following amendments to the City's wall sign regulations:

- Establish a 287 square foot area limit for all new on-premise wall signs located in Commercial, Seattle Mixed, Industrial, and Downtown zones;
- Clarify existing definitions that apply to on-premise wall signs in order to make plain that providing customers with gift cards or gift certificates (or other similar documents), or with access to computers or phones (or other devices), that they could use to obtain a product or service that is featured on an on-premise sign but not directly available on the site where the sign is located is not permitted; and
- Increase penalties for violations of certain Sign Code regulations from \$500/day to \$1,500/day and direct the collected revenues from such violations to DPD's Operations Division, which includes the Department's sign and billboard inspection unit.

CHAHSER was previously briefed and hosted a public hearing on CB 117991 at its February 20, 2014, meeting. The legislation was developed for the Council's review at the request of Councilmember Clark.

### **Identified Issues:**

At the CHAHSER meeting on March 6, staff will ask the Committee to provide direction on the amendments they would like to see incorporated into CB 117991 before the legislation is brought to a vote. Central Staff prepared the following decision agenda to help guide that conversation. At the meeting, Committee members may also want to propose additional amendments that are not discussed in this memorandum. Please note that no votes on specific legislative language will be taken on March 6.

### ***Issue #1: Area limit for on-premise wall signs located in Commercial, Seattle Mixed, Industrial, and Downtown zones.***

Area limits do not currently apply to most of the on-premise wall signs located in Seattle's Commercial, Seattle Mixed, Industrial, and Downtown zones. CB 117991 would restrict all new

wall signs located in these zones to a maximum area limit of no more than 287 square feet. DPD recently examined the wall sign permit data it has collected since 2003 and found that approximately 97 percent of the on-premise sign permits issued over the last ten years were for signs with a total area of less than 287 square feet. If passed, CB 117991 would not require removal of preexisting permitted wall signs in excess of 287 square feet.

Options	Considerations
<p>1. Do not impose any area limit for on-premise wall signs located in Commercial, Seattle Mixed, Industrial, and Downtown zones (status quo).</p>	<ul style="list-style-type: none"> <li>• Absent an area limit, very large wall signs will likely continue to be installed in the City’s Commercial, Seattle Mixed, Industrial, and Downtown zones.</li> <li>• The absence of area limits for wall signs is among the factors contributing to the practice by some advertising companies of attempting to use large, on-premise wall signs for off-premise purposes.</li> </ul>
<p>2. Impose a maximum area limit of 287 square feet (CB 117991, as introduced).</p>	<ul style="list-style-type: none"> <li>• An area limit of 287 square feet would continue to accommodate the vast majority of the wall signs desired by Seattle businesses.</li> <li>• A 287 square foot area limit could hinder the visibility of on-premise wall signs installed on buildings with very large footprints (e.g., sports arenas and other outsized event facilities). See Issue #2, below.</li> <li>• While businesses with existing, permitted, on-premise wall signs in excess of 287 square feet would not be automatically required to remove their signs upon passage of CB 117991, any business that wishes to install a new wall sign in the future would have to comply with the area limit established by the legislation.</li> </ul>

3. Impose a maximum area limit of 672 square feet.	<ul style="list-style-type: none"> <li>• Selection of this option would apply an area limit to on-premise wall signs that is equivalent to the size of large registered billboards.</li> <li>• Over the last 10 years, DPD has issued about 240 permits for on-premise wall signs in excess of 287 square feet. Nearly 100 of those permits were for wall signs with a total area of more than 672 square feet.</li> </ul>
4. Impose some other maximum area limit.	<ul style="list-style-type: none"> <li>• Should CHAHSER members choose to pursue this option, Central Staff and DPD will work together to identify some possible alternative sign area thresholds for the Committee's consideration.</li> </ul>

***CHAHSER Recommendation:***

***Issue #2: Area limit for on-premise wall signs located on large event facilities.***

The City of Seattle is home to several large event venues that occupy sizeable tracts of land and extend along rights-of-way. Some of these facilities have expansive exterior walls that at times feature on-premise wall signs promoting the events that take place inside the buildings. Representatives of some of these facilities have conveyed to CHAHSER members that the scale of their buildings renders a 287 square foot area limit insufficient. The largest event facilities (maximum seating capacity in excess of 10,000) located within the City's Commercial, Seattle Mixed, Industrial, and Downtown zones include the following:

<b>Venue</b>	<b>Maximum Seating Capacity</b>
Century Link Field	72,000
Safeco Field	47,116
Proposed NBA/NHL Arena	19,000
KeyArena	17,000

About 20 percent of the nearly 100 permits issued over the last 10 years for on-premise wall signs in excess of 672 square feet were for sign installations at either Century Link Field or Safeco Field. Committee members could choose to amend CB 117991 to impose a larger area limit for wall signs that are installed on Seattle's biggest event venues.

Options	Considerations
1. Do not apply a separate area limit to on-premise wall signs located on large event facilities (status quo).	<ul style="list-style-type: none"> <li>If no size limit is imposed for the City's large event venues, the operators of such facilities will remain able to install signs on their buildings that cover several thousand square feet of wall area.</li> </ul>
2. Apply a 287 square feet area limit to all wall signs located in Commercial, Seattle Mixed, Industrial, and Downtown zones, regardless of whether they are installed on large event facilities (CB 117991, as introduced).	<ul style="list-style-type: none"> <li>A 287 square foot area limit could reduce the visibility of on-premise signs that are installed on large event venues, making it more challenging for the operators of such buildings to promote the events that are taking place on-site.</li> <li>Selection of this option would result in the application of one wall sign area limit across all business types, regardless of the size or type of building upon which a permitted wall sign would be installed.</li> <li>Applying the same area limit to all wall signs, regardless of where they are located, would be relatively simple for DPD to implement and enforce.</li> </ul>
3. Impose a separate area limit for wall signs that are installed on large event facilities (e.g., venues with a maximum seating capacity in excess of 10,000).	<ul style="list-style-type: none"> <li>Selection of this option would allow for the implementation of a wall sign area limit for large event venues that is larger than 287 square feet but not unlimited.</li> <li>Creating separate area limits for different subsets of wall signs could complicate DPD's Sign Code implementation and enforcement efforts.</li> <li>Should CHAHSER members choose to pursue this option, Central Staff and DPD will work together to identify some possible sign area and venue size thresholds for the Committee's consideration.</li> </ul>

**CHAHSER Recommendation:**

***Issue #3: Penalties for violations of the City's wall sign regulations.***

The current penalty for violating the City's wall sign regulations is \$500 per day. As the revenues associated with very large wall signs installed on buildings in highly visible locations can potentially run as high as \$40,000 per month, DPD does not believe the current daily penalty is sufficient to deter some parties from violating the City's rules. Under CB 117991, the penalty associated with installing a wall sign that is inconsistent with the Sign Code would be increased from \$500 per day to \$1,500 per day, per sign violation, for each day the violation exists. The collected penalty amounts from these violations would then be directed to DPD's Operations Division, which includes the Department's sign and billboard inspection unit.

Options	Considerations
1. Do not increase the penalties associated with violations of the City's wall sign regulations (status quo).	<ul style="list-style-type: none"><li>• The revenue potential of a new wall sign that is subject to a 287 square foot area limit is likely far less than that of a large existing wall sign that covers thousands of square feet in area. Thus, the current penalty of \$500 per day could be sufficient to deter violations associated with future wall signs, provided an area limit is applied. However, \$500 per day may not be sufficient to curb violations associated with very large existing wall signs that would be permitted to remain in place as legal, non-conforming signage.</li><li>• If an area limit is <u>not</u> established for all new wall signs installed in Commercial, Seattle Mixed, Industrial, and Downtown zones, the existing, maximum penalty of \$500 per day will remain insufficient to deter some violations of the City's wall sign regulations – particularly those associated with very large wall signs.</li></ul>

<p>2. Increase the penalties associated with violations of the City's wall sign regulations from \$500 per day to \$1,500 per day (CB 117991, as introduced).</p>	<ul style="list-style-type: none"> <li>• A higher daily penalty could help to discourage future violations of the City's wall sign regulations.</li> <li>• With approximately 97 percent of existing, permitted wall signs measuring less than 287 square feet in area, the current maximum penalty of \$500 per day is likely sufficient to keep many (though not all) wall sign permit holders from knowingly violating the Sign Code.</li> </ul>
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***CHAHSER Recommendation:***

**Next Steps:**

CHAHSER's next opportunity to discuss, and possibly vote on, CB 117991 will be on March 20, 2014. If you have questions about the content of the legislation or would like to discuss additional amendment options, please feel free to contact me at any time.